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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,886	10/04/2005	Peter Dam Neilsen	886A.0014.U1(US)	6802
29683 7590 10/15/2009 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212				
EXAMINER STEPHEN, EMEM O				
ART UNIT 2617		PAPER NUMBER		
MAIL DATE 10/15/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/551,886

**Applicant(s)**

NEILSEN, PETER DAM

**Examiner**

EMEM STEPHEN

**Art Unit**

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6/19/2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1.5, 10-13, 15, 16, 18-23, 25, 26, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1.5, 10-13, 15, 16, 18-23, 25, 26, 28 and 29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 5, 10-13, 15-16, 18-23, 25-26, and 28-36 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pub. 2003/0087665 A1 to Tokkonen.

Regarding claims 1, 5, 10, 15, 20, 25, and 30-31, Tokkonen discloses mobile communications device comprising a controller (see fig 2, processor 18 comprising control 22) and a method comprising: in response to an application start event and in operating a mobile communications device (see fig. 3, pars. 6, and 56, reminder application initiation), the application start event being an event of starting an application, determining if the application start event is associated with a reminder item stored in a memory (pars. 7, and 14-16, memory 12, i.e. outgoing/incoming call to a selected number triggers a reminder), and in response to a positive determination, controlling the device to announce the reminder item (par. 16), Tokkonen further

disclose determining if there is correspondence in one of the following: an identifier associated with the application at the time of the application start event and relating to a device or a device setting (see fig. 2 steps 204-206, fig. 5, and pars. 13, 15-16, and 19, specified action, location, time, date, phone number) and identifier forming part of the reminder item (i.e. email address, phone number/s, location, destination, time date).

Regarding claims 11-12, and 21-22, Tokkonen discloses a method as claimed in claim 10, in which the controlling step includes, following controlling the device to allow a user to select an application, controlling the device to present plural options including an option to initiate an application start event reminder (see fig. 3).

Regarding claims 13, and 23, Tokkonen discloses a method as claimed in claim 10, further comprising controlling the device to allow a user to enter an additional input, and associating the input with the reminder (par. 14, add another triggering event with the reminder(s)).

Regarding claims 16, 18-19, 26, and 28-29, Tokkonen discloses in response to an application start event, determining if the event is associated with a reminder stored in the memory (see fig. 2 step 202, and par.19, triggering event(s) stored in memory and linked to the stored reminder), and, in the event of a positive determination, determining also if there is correspondence between an identifier associated with the application at the time of the application start event and relating to a device or resource

address, a sub-routine or a device setting and identifier forming part of the reminder item, and controlling the device to announce the reminder item (see fig. 2 steps 204-206, fig. 5, and pars. 13, 15-16, and 19, specified action, location, time, date, phone number, email address)

Regarding claim 32, Tokkonen discloses the method as claimed in claim 1, wherein announcement of the reminder item occurs when a games application is commenced (par. 15, movement in detected by video device).

Regarding claims 33-36, Tokkonen discloses the device according to claim 5, wherein the controller is configured to check for reminders stored in the memory and check if any of the reminders stored in memory are associated with the application which was started (pars. 13, and 15).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Pat. No. 7484213 B2 to Mathew et al.

US Pat. No. 7130617 B2 to Matsumoto et al.

US Pat No. 7433714 B2 to Howard et al.

US Pub. No. 20010029175 A1 to Sellen et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM STEPHEN whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571 272 7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. S./  
Examiner, Art Unit 2617  
10/12/2009

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617